

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-40346 of 2019.

Decided on:- September 25, 2019.

Ranjeet Mehta.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Ms. Neetu Singh Aashat, Advocate
for the petitioner.

Mr. Sukhbeer Singh, A.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.105 dated 26.05.2019 under Sections 363, 366-A and 120-B IPC registered at Police Station Haibowal, District Ludhiana.

The aforesaid FIR was registered at the behest of Murari Kumar Mehta, who is father of the prosecutrix. As per the FIR, his daughter Luxmi Kumari, who was student of 10th class at village Tisi Parsoni, District Madhubini (Bihar) and after appearing in the examination of 10th class had come to Ludhiana to stay. On 18.05.2019 at about 06.30 P.M., the complainant was informed that Luxmi Kumari is not at home. The search was made and somebody informed the complainant that Luxmi Kumari had gone with Sanjeet Mehta, who is brother of the petitioner. Sanjeet Mehta had taken

away Luxmi Kumari on his motorcycle. Thus, Sanjeet Mehta had enticed away the daughter of the complainant with an intention to marry her.

Learned counsel for the petitioner states that the petitioner has been arrayed as an accused for the reason that he is elder brother of Sanjeet Mehta against whom there are allegations. The petitioner is in custody since 02.06.2019. As per the FIR, Luxmi Kumari was enticed away by Sanjeet Mehta on 18.05.2019 but the FIR in question was registered on 26.05.2019. Even otherwise, the prosecutrix and the family of the petitioner were known to each other and the petitioner has not been named in the case in the initial version of the complainant.

Learned State counsel, on instructions from ASI Bhajan Singh, states that the Challan in the case has been presented against the accused including the petitioner.

I have heard learned counsel for the parties.

There is no allegation in the FIR against the petitioner. He has been named for the reason that he is brother of Sanjeet Mehta, who allegedly enticed away daughter of the complainant. Moreover, the petitioner is in custody since 02.06.2019 and the conclusion of trial is likely to take a long time. Therefore, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 25, 2019
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No